

CITY OF WARRENVILLE
MEMORANDUM

TO: Mayor and City Council
FROM: John M. Coakley, City Administrator 
SUBJECT: SUMMARY OF AGENDA ITEMS FOR OCTOBER 18, 2021, CITY COUNCIL REGULAR MEETING
DATE: October 14, 2021

Please contact the City Administrator with questions pertaining to agenda items by noon on the day of the meeting.

VI. CONSENT AGENDA – OMNIBUS VOTE

- A. Ordinance O2021-37 – Temporary Use Permit at 28W265 Warrenville Road (Attachment)
The Applicant is requesting approval of a temporary use permit in zoning district B-4 Motorist Service District, which would allow one of his existing tenants, Kanetha Tenner of Tenner’s Autos 4less, Inc., to operate an indoor auto detail shop in the unit she currently leases. Auto detailing includes the “repair of the appearance of auto surfaces, paint, trim, tires, and interior, to present the car in the best visual way possible.” A Special Use Permit was granted in February 2021, ordinance O2021-03, that allows Ms. Tenner’s business to operate an outdoor sales lot for used vehicles on the property. Because of supply chain issues in the current used car market, operating an independent used car dealership has become particularly challenging.

In order to allow Ms. Tenner to diversify her business income at the subject location and “bridge” the economic challenges she is currently experiencing, the Applicant, property owner Biff Behr, and business owner, Kanetha Tenner, are seeking City approval of a temporary use permit that would allow an indoor automobile detailing business to operate at the subject location for up to one year. According to section 1.D.5. of the Zoning Ordinance, temporary uses in excess of two days may be allowed upon approval of a temporary use permit by the City Council. The Plan Commission recommended unanimous approval at the October 7, 2021, meeting, subject to the conditions reflected in the ordinance. A copy of the ordinance and the staff report are included with the agenda backup materials.

Council Action Requested: Accept Plan Commission recommendation, waive second reading, and pass ordinance O2021-37, approving a temporary use permit for the operation of an auto detail shop at 28W265 Warrenville Road.

Staff Recommendation: Community and Economic Development Director Mentzer and Planner and GIS Technician Kieffer recommend this action.

Budgetary Impact: Not applicable.

Other Resources Required: Staff time to coordinate final permitting details with the applicant.

Strategic Plan Goal: Not applicable.

B. Ordinance O2021-38 – Sequestria Sewer and Water Tap-on Fee Charges (Attachment)

The City extended sanitary sewer through the Sequestria Subdivision property in 2018, and water main in 2019, to support new development along Route 59 in the Southwest District. Since these utilities would normally have been installed in conjunction with the development of the Sequestria Property, largely at the developer's expense, staff has worked with the City Attorney to develop a differential tap-on fee surcharge ordinance that documents the special tap on fees that will apply to any future private connections made to the public sewer and water mains that now exist on the Sequestria Property. For surrounding properties that are not part of the Sequestria Property, the differential tap on fees will be consistent with the standard differential tap on fees associated with other recent City utility extension projects.

Since the Sequestria Subdivision does not appear to be moving forward in the form anticipated as part of the previously approved preliminary planned unit development (PUD), the proposed differential tap-on fee ordinance recommended by staff specifies tap-on fees for the Sequestria Property be calculated by dividing the total cost of each utility extension by 10, the number of new lots that were illustrated on the previously approved preliminary PUD plans. The proposed differential tap-on fee ordinance is included with the agenda backup materials.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation, waive second reading, and pass ordinance O2021-38, approving differential tap-on fee surcharges for the 2018 Sanitary Sewer Extension and 2019 Water Extension projects through the Sequestria Subdivision property.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: None.

Other Resources Required: None.

Strategic Plan Goal: #2 Fiscal Conservatism and #4 City Infrastructure.

C. Ordinance O2021-39 – Amending Authorized Strength Ordinance for Two Crew Leaders (Attachment)

City Council approved the Public Works Reorganization Plan in December 2020. The first two steps were completed earlier in 2021, with the promotions of the Public Works Director, Capital Maintenance Superintendent, and Utility Maintenance Superintendent. The next step is to create and fill two Crew Leader positions in the Street and Utility divisions. Staff's intention is to fill these two positions by internal promotion. Decision packages for these positions were approved as part of the FY 2022 Budget. The ordinance and Public Works Director (PWD) Kuchler's memo, dated October 4, are included with the agenda backup materials.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation, waive second reading, and pass ordinance O2021-39, amending the Authorized Strength Ordinance to add two crew leader positions in the Public Works Department.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: Assuming a start date of December 1, 2021, for the crew leaders, the additional costs would be \$4,887, from the General Fund, and \$4,887, from the Water and Sewer Fund for the remainder of FY 2022.

Other Resources Required: Staff time to recruit and train crew leaders.

Strategic Plan Goal: Not applicable.

D. Resolution R2021-57 – Agreement with Speer Financial, Inc. (Attachment)

In May, the City sought proposals from firms to serve as financial advisors to the City in determining the best options, including possible debt issuances, for financing the infrastructure improvements needed in TIF District #4. On September 10, the Long Range Financial Planning (LRFP) workgroup conducted interviews with three of the five firms that submitted proposals, and now recommends Speer Financial, Inc.

The resolution and agreement are included with the agenda backup materials.

Council Action Requested: Accept Public Safety and Finance Committee recommendation and pass resolution R2021-57, approving a professional services agreement with Speer Financial, Inc. for municipal advisory and bond sale consulting service.

Staff Recommendation: City Administrator Coakley and Finance Director Dahlstrand recommend this action.

Budgetary Impact: The fees are included in the agreement. The actual charges will depend on the actual services used. There is sufficient money in the FY 2022 Budget for this work.

Other Resources Required: staff time to work with Speer on financial analysis, specifically for TIF District #4-related water improvement project financing.

Strategic Plan Goal: #2 Fiscal Conservatism.

E. Resolution R2021-58 – Tunes of Glory Long Term Facility Use Agreement (Attachment)

In 1993, the City and Tunes of Glory Pipe and Drum band entered into an annual agreement for the use of certain areas of City Hall for band rehearsals in exchange for free performances at times and places mutually agreed upon each year. Annual extensions and renewals of the agreement continued through the year 2000. Since then, and prior to COVID-19, Tunes of Glory had regularly rehearsed at City Hall on Wednesdays without an agreement.

At this time, Tunes of Glory wishes to enter into an extended agreement for the use of City Hall in exchange for two annual performances, the Independence Day parade and Holly Days, at no additional cost through calendar year 2025. A resolution and facility use agreement drafted by the City Attorney are included with the agenda backup materials.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation and pass resolution R2021-58, approving a facility use agreement with Tunes of Glory Pipe and Drums, Inc. for use of certain areas of City Hall for rehearsals through 2025.

Staff Recommendation: City Administrator Coakley recommends this action.

Budgetary Impact: Not applicable.

Other Resources Required: Not applicable.

Strategic Plan Goal: Not applicable.

F. Resolution R2021-59 – FER-PAL Construction Contract for Route 59 Water Main Lining (Attachment)

Staff recently discovered a leak in a water main that crosses under Illinois Route 59, near the Winchester Subdivision. Staff considered two alternative trenchless methods for repairing or replacing the main. The two quotes staff received for directional drilling a new main in a casing pipe were \$70,000 to \$90,000, and \$116,000. The four quotes staff received for lining the existing water main ranged from \$41,760 to \$100,000. The lowest price was \$23,240, lower than the second lowest. Due to the time sensitive nature of this project, staff is recommending waiving competitive bidding and entering into a contract with the company providing the lowest price. FER-PAL Construction USA specializes in water main rehabilitation and has performed several much larger projects to line water main in other communities. The resolution and contract are included with the agenda backup materials.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation and pass resolution R2021-59, waiving competitive bidding, and approving a contract with FER-PAL Construction USA for \$41,760, water main pipelining.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: No money is specifically included in the FY 2022 Budget for this repair, however, with an estimated savings of \$43,000, from the removal of the Bower Ground Storage Tank, and engineering on the west water tower, there is sufficient money included in the Water Fund for the cost of the \$41,760 repair.

Other Resources Required: Significant staff time to coordinate IDOT permit and construction with contractor.

Strategic Plan Goal: #4 City Infrastructure.

G. Resolution R2021-60 – Maguire Iron Contract for W. Water Tower Painting (Attachment)

The interior and exterior of the City's 500,000-gallon water tower on Country Ridge Drive are due for painting. The City is in the second year of a 12-year contract with Maguire Iron for the painting, inspections, and cleaning of the one-million gallon water tower on West Street. When selecting Maguire for that project, staff did not advertise for bids due to the sensitivity of this work on the City's water tower and the potential to impact the public water supply. Since Maguire has performed well on that water tower, staff requested a proposal only from Maguire for this water tower for a 10-year contract that will end at the same time as the existing contract.

Although the hybrid nature of the contract includes professional services, and likely qualifies for the exemption from bidding related to professional services in the City Code, the City Attorney is recommending that the City Council waive competitive bidding. A resolution and the contract are included with the agenda backup materials.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation and pass resolution R2021-60, waiving competitive bidding, and

approving a contract with Maguire Iron, Inc. for \$718,975, for West Water Tower Painting and Inspection.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: No costs in FY 2022, \$180,500 in FY 2023, with other costs occurring in FY 2024 through FY 2032.

Other Resources Required: Staff time to coordinate with the contractor.

Strategic Plan Goal: #4 City Infrastructure.

H. Resolution R2021-61 – Everstream Agreement for Fiber Optic Cable (Attachment)

Everstream is a company that installs fiber optic cable to support small wireless facilities, and currently has two right-of-way permit applications submitted for staff review. The license agreement, included with the agenda backup materials, is based on an existing license agreement between the City of Elmhurst and Everstream. It includes an annual fee of \$0.50 per foot of fiber optic cable installed in City rights-of-way and will be used to document the various locations where Everstream installs fiber optic cable. The license agreement details the conditions associated with Everstream's installation of fiber optic cable in City rights-of-way. The City Attorney's memo addressing the Committee of the Whole discussion about this item is also included with the agenda backup materials.

Council Action Requested: Accept Public Safety and Finance Committee recommendation and pass resolution R2021-61, approving a license agreement with Everstream for installation of fiber optic cable in the City public rights-of-way.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: The City will receive an annual fee, based on the amount of fiber optic cable installed in City rights-of-way, which will result in a minor amount of revenue.

Other Resources Required: None.

Strategic Plan Goal: #2 Fiscal Conservatism.

I. Resolution R2021-62 – ERA Agreement for Batavia Rd Resurfacing (Attachment)

The City has \$265,000, of Surface Transportation Program (STP) funding to pay for 70% of the construction costs for the resurfacing of Batavia Road, between Illinois Route 59 and Fermilab. Staff received and reviewed two proposals and is recommending a contract with Engineering Resource Associates, because of their significant past experience with the City and with IDOT on this specific type of STP funded project.

Staff was anticipating the engineering design as part of the FY 2023 Budget, however DuPage Mayors and Managers Conference recently informed the City that it needs to have a kickoff meeting with IDOT this winter, or risk losing the funding. Staff is anticipating a bid letting date of March 2023, for this project. The draft resolution and proposed contract are included with the agenda backup materials.

Council Action Requested: Accept Public Safety and Finance Committee recommendation and pass resolution R2021-62, approving a professional services agreement with Engineering Resource Associates for design engineering services relating to the Batavia Road Resurfacing Project in the amount of \$26,788.65, plus reimbursable expenses.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: No money is specifically included in the FY 2022 Budget for this project, however, with an estimated net savings of \$85,000, from the 2021 Road Program, City Museum painting and tuck-pointing, and the Storm Sewer Lining Project, there is sufficient money included in the Capital Maintenance and Replacement Fund for the cost of this design contract, which will be split between FY 2022 and FY 2023.

Other Resources Required: Considerable staff time during the design phase to coordinate with the consulting engineer, DuPage Mayors and Managers Conference, and IDOT.

Strategic Plan Goals: #2 Fiscal Conservatism and #4 City Infrastructure.

- J. Resolution R2021-63 – Thomas Engineering Agreement for Square Courts (Attachment)
The City has \$220,000, of Community Development Block Grant (CDBG) funding to partially pay for the resurfacing and curb replacement on the streets known as the “square courts” in Summerlakes, generally located west of Shaw Drive, between Continental Drive and Batavia Road. Staff received and reviewed two proposals and is recommending a contract with Thomas Engineering Group, because of their past experience with the City and their significant experience on similar CDBG projects in the City of West Chicago.

While engineering design will begin this fall, the timing of the release of funds in 2022 will dictate whether the project is constructed in 2022 or 2023. The resolution and contract are included with the agenda backup materials.

Council Action Requested: Accept Public Safety and Finance Committee recommendation and pass resolution R2021-63, approving a professional services agreement with Thomas Engineering Group for design engineering services relating to the Square Courts Resurfacing Project in the amount of \$38,000, plus reimbursable expenses.

Staff Recommendation: Public Works Director Kuchler recommends this action.

Budgetary Impact: FY 2022 Budget includes \$40,000 in Capital Maintenance and Replacement Fund for this project.

Other Resources Required: Considerable staff time during the design phase to coordinate with the consulting engineer and DuPage County Community Development Commission.

Strategic Plan Goals: #2 Fiscal Conservatism and #4 City Infrastructure.

- K. Personal Protective Equipment (PPE) Policy (Attachment)

The City's Safety Committee has continued its review and revision of policies available through the City's workers' compensation carrier, Illinois Public Risk Fund (IPRF), in order to meet Warrenville's needs. Eventually, these policies will be combined to form a revised Safety Manual to replace the current manual that was last updated in 2013.

To date, the City Council has approved 15 safety policies. Included with the agenda backup materials is the *Personal Protective Equipment (PPE) Policy*, which is a vital part of an effective safety system.

Council Action Requested: Accept Public Works and Infrastructure Committee recommendation and adopt the Safety Committee Personal Protective Equipment (PPE) policy, effective immediately.

Staff Recommendation: Administrative Services Coordinator Morgan and Assistant City Administrator White recommend this action.

Budgetary Impact: None.

Other Resources Required: Staff time to communicate the policy to all City employees.

Strategic Plan Goal: Not applicable.

L. Minutes of the Plan Commission and Zoning Board of Appeals Meeting (Attachment)

Receive and file minutes of the Plan Commission and Zoning Board of Appeals meeting held on October 7, 2021.

M. Minutes of the Environmental Advisory Commission Meeting (Attachment)

Receive and file minutes of the Environmental Advisory Commission meeting held on August 17, 2021.

N. Invoices Paid (Attachment)

Receive and file report of invoices paid up to October 13, 2021, in the amount of \$47,697.82.

O. Invoices Due (Attachment)

Authorize expenditures for invoices due on or before November 1, 2021, in the amount of \$262,645.28.

P. Debit Card Expenditures (Attachment)

Receive and file report of debit card expenditures for the month of September 2021, in the amount of \$21,922.76.

VII. REGULAR AGENDA

VIII. UNFINISHED BUSINESS

JMC/drg